



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Tagg *et al.*
Serial No. : 09/913,763
Filed : August 17, 2001
For : LANTIBIOTIC
Art Unit : 1651
Examiner : Michael V. Meller

745 Fifth Avenue, New York, NY 10151

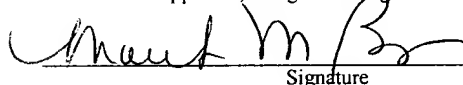
EXPEDITED PROCEDURE
RESPONSE AFTER FINAL ACTION
UNDER 37 C.F.R. 1.116

First Class Mail

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Marilyn Matthes Brogan, Reg. No. 31,223

Name of Applicant, Assignee or Registered Representative



Signature

December 3, 2003

Date of Signature

NOTICE OF APPEAL

Commissioner for Patents
Mail Stop AF
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the final Office Action dated June 3, 2003, rejecting claims 1, 2, 4-23 and 27-40. A check for \$165.00 in payment of the fee required by 35 U.S.C. §41(a)(6) and 37 C.F.R. § 1.17(b) is enclosed. Please note that Applicant is a small entity. The Commissioner is authorized to charge any additional payment occasioned by this paper, or credit any overpayment, to Deposit Account No. 50-0320.

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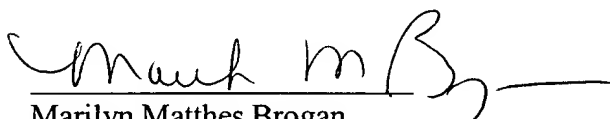
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165.00 DP

This Notice is being filed in triplicate, together with a Petition for Extension of Time.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By: 
Marilyn Matthes Brogan
Reg. No. 31,223
(212) 588-0800



PATENT
512585-2001

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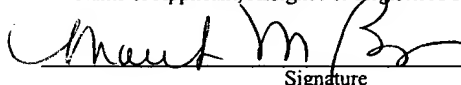
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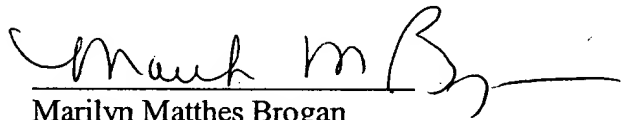
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Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By:

A handwritten signature in cursive script, appearing to read "Marilyn Matthes Brogan", followed by a horizontal line.

Marilyn Matthes Brogan
Reg. No. 31,223
(212) 588-0800